

**REPORT TO THE GOVERNOR AND THE LEGISLATURE
ON THE ACTIVITIES OF THE
DELTA PROTECTION COMMISSION**

2004

PREPARED BY STAFF OF THE
DELTA PROTECTION COMMISSION
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Executive Summary

Future of the Commission:

Governor Schwarzenegger's California Performance Review Commission recommended that the Delta Protection Commission (DPC) be eliminated, and its responsibilities be legislatively transferred to a new Secretary for Natural Resources. After several public hearings and discussions about the DPC and its role in the Delta region, the DPC recognized that there is a continuing role for the DPC in the region, and recommended that the DPC be continued by the Legislature with its current jurisdiction and authority. The DPC acknowledged that new members could be added to the DPC to reflect new landowners in the region, including non-profit agencies.

State of the Delta Primary Zone:

There was little change in land use in the Delta Primary Zone in 2004. Agriculture continues as the primary land use.

The new City of Oakley, which includes a narrow band of water-covered area in the City limits, submitted its General Plan for DPC review for consistency with the Delta Protection Act and the Plan. The DPC found the City General Plan consistent with the Act and Plan.

Activities in the Secondary Zone:

There has been significant planning activity in the Secondary Zone. In Sacramento County, the community of Freeport was annexed into the City of Sacramento. The City of Lodi is seeking to expand its wastewater treatment plant and add to the area of agricultural lands used for disposal of treated wastewater and biosolids. The City of Stockton, currently in the midst of a General Plan update, added several thousand acres of land adjacent to the Primary Zone to its Sphere of Influence. The City of Lathrop continued to process development proposals in lands lying adjacent to and east of the Primary Zone. The City of Tracy is updating its General Plan. The City of Oakley is working with various nonprofit and State partners on the proposed Dutch Slough wetland restoration and public access/recreation project.

Status of the Delta Protection Commission:

After extensive debate by the Legislature regarding the DPC's budget, membership, jurisdiction and authority, the DPC, its budget, and staffing remained unchanged. The DPC has started various tasks linked to approval of the FY 04-05 budget including identifying growth pressures in the Primary Zone and updating the regional land use plan.

Agriculture:

The DPC co-sponsored a March 5, 2004 workshop for Delta landowners about funding opportunities for conservation measures under federal Farm Bill programs.

Wildlife Habitat:

In addition to co-sponsoring the March 5, 2004 workshop for Delta landowners regarding conservation measures under federal Farm Bill programs, the DPC discussed and developed recommendations regarding management of several tracts of land in the North Delta purchased with public funds but currently lacking management or restoration plan (Liberty and Prospect Islands and Little Holland Tract). These extensive tracts are no longer farmed, two are flooded, and are currently supporting extensive stands of volunteer vegetation. Management plans will be necessary to ensure that the Yolo Bypass flood water capacity is not adversely impacted and to ensure that public uses are appropriate.

Recreation:

The DPC received a \$225,000 grant from the Department of Boating and Waterways to start preparation of a regional recreation planning process. A consultant team is under contract and will complete Phase I, addressing water-based recreation, by the end of June 2005.

Levees:

The June levee break on Jones Tract stimulated new discussion of levee maintenance, including costs and responsibilities. The levee breach resulted in a shutdown of the State and federal water projects and will result in new levee inspection and preventative maintenance activities on the Delta levees. DPC remains active in groups and programs supporting levee funding and levee maintenance.

CALFED:

The California Bay Delta Authority adopted a 10-year finance plan and work programs for the various components of the CALFED program. Planning continued on various projects proposed for the Delta, including In-Delta Storage, South Delta Improvements Project, North Delta Improvements Project, and Tracy Fish Test Facility. Planning continues on the proposed expansion of Los Vaqueros Reservoir. Several smaller projects to improve water quality in the Veale and Byron Tract areas are underway.

ANNUAL REPORT 2004:

Section 29780 of the Delta Protection Act of 1992 (Act) requires the Delta Protection Commission (DPC) to submit an annual report to the Governor and the Legislature describing the progress in achieving the objectives of the Act. The annual report is to include: an evaluation of the effectiveness of the regional plan in preserving agricultural lands, restoring Delta habitat, improving levee protection and water quality, providing increased public access and recreational opportunities, and undertaking other functions prescribed in the Act; and update of the regional plan using baseline conditions set forth in the regional plan and the status of environmental thresholds established by the DPC in the original regional plan.

Status of the Delta Protection Commission:

The DPC was reviewed by the Legislature in 2004. Several important issues were considered including: source of funding, membership, jurisdiction, and authority.

During the budget hearings there was a range of discussion from elimination of the DPC, to suggesting that half the DPC's budget be provided by local government agencies, and, finally, that the budget should remain at its current level but the DPC should commence an update of its regional plan and analyze how development in the Secondary Zone could impact the resources of the Primary Zone. The DPC has started the tasks linked to the approval of the FY 04-05 budget. Steps to implement those tasks have been outlined and submitted to the Legislature, as required.

The membership of the DPC remains unchanged at this time, although during the last legislative session there was discussion of decreasing the number of State agency representatives and adding public members.

The concept of expanding the DPC's jurisdiction and authorities into the Secondary Zone engendered spirited discussion and debate from the public and the DPC. At this time the DPC's jurisdiction and authority remain unchanged. The DPC has planning and appeal authority over local government actions in the Delta Primary Zone only.

Recap of 2004 Delta Protection Commission Meetings:

(Agendas, staff reports and minutes of DPC meetings are on the DPC's website: www.delta.ca.gov)

- **January:** The DPC approved a letter to the Governor supporting reappointment of Patrick Johnston as the Delta Region public representative on the California Bay-Delta Authority, adopted a position that the City of Rio Vista's proposed sewage treatment plan in the Primary Zone conforms to Utilities and Infrastructure Policy P-3, reviewed and discussed the DPC's budget and the report from Secretary for Resources Mike Chrisman to the Joint Legislative Budget Committee, adopted an annual report for 2003, accepted a report on acquisitions in the Delta Primary Zone in 2003, and set a special meeting in February to continue the discussion on the future of the DPC and its role in land use planning in the Primary and Secondary Zones of the Delta.

- **February:** The DPC scheduled an additional meeting in February to continue hearing from the public and continue the discussion among the DPC members regarding the future role for the DPC in the Primary and Secondary Zones of the Delta. The DPC directed staff to draft a letter to Secretary Mike Chrisman (March 15, 2004) that summarized the consensus views of the DPC regarding the DPC's future role in the region.
- **March:** The Chairman appointed a new Committee to address the DPC's role reviewing development projects, and the DPC adopted a position on the Freeport Regional Water Project intake location in the Secondary Zone of the Delta, held a public hearing on the General Plan prepared for the new City of Oakley, discussed regional planning programs underway in the greater Delta region, and the DPC directed staff to update and resubmit a comment letter on the CALFED In-Delta Storage Program State Feasibility Study.
- **May:** The DPC reviewed and commented on the draft Delta Regional Profile (Department of Water Resources), determined that the City of Oakley's General Plan is consistent with the Delta Protection Act and the adopted Plan, discussed the City of Elk Grove's "planning area" that extends into the Primary Zone, discussed the proposed settlement of a lawsuit regarding the River Islands development proposal on Stewart Tract in Lathrop, San Joaquin County and how funds generated by the settlement will be used to acquire agricultural easements, discussed pending legislation that could impact the DPC and the Delta, and reviewed a table summarizing development in the Primary Zone over the last ten years.
- **July:** The DPC discussed the June levee break on Jones Tract and the DPC directed staff to assist in a workshop on Delta levees to be co-sponsored with the California Bay-Delta Authority, and reviewed the status of legislation that would impact the DPC.
- **September:** The DPC adopted a position that the DPC be retained and forwarded those comments to the California Performance Review Commission, received an update on legislation, adopted an environmental justice policy, adopted a budget and work plan for FY 04-05, discussed a staff briefing on Sphere of Influences of cities outside the Primary Zone of the Delta, discussed a report from the Delta Land Use Impacts Committee and deferred action to the November meeting, discussed the need and the process for updating the land use plan, discussed various land ownership and management options for Liberty Island in Solano and Yolo Counties, and discussed a proposed development project in the Primary Zone in the community of Clarksburg, Yolo County--the Sugar Mill Specific Plan, and directed staff to add additional issues to comments on the Draft Environmental Impact Report on the proposed project.
- **October:** The DPC and members of the public participated in a tour of the northwest Delta on the Tule Queen, a new eco-tourism vessel operating from a Sacramento County base on Steamboat Slough. The tour highlighted issues associated with aquatic habitat restoration on subsided islands and resulting erosion impacts to Delta levees.
- **November:** The DPC was briefed on the recently court ruling regarding flows in the San Joaquin River and directed staff to prepare a draft position for review by the Agriculture Committee, staff presented a draft update of the recreation facilities inventory, the DPC heard from a panel of knowledgeable individuals regarding how

to prioritize review and update of the land use plan and its background reports, and the DPC approved a plan for updating the plan that must be submitted to the Legislature prior to January 10, 2005.

Status of the Land Use and Resource Management Plan for the Primary Zone of the Delta (Plan):

As directed in the FY 04-05 Budget Bill, the DPC discussed the need for and the process for updating the Plan. The DPC has no additional funds to carry out an update. Some funds have been granted to the DPC by the Department of Boating and Waterways to review and update information about water-related recreation in the Delta; use of the funds is restricted under the original Coast Guard grant terms. The \$225,000 grant is being used to hire a consultant to prepare a report for DPC consideration and use.

Unless additional funds are identified, staff will undertake a review of the several background reports and report to the DPC for consideration of policy amendments. Staff intends to review the background reports by the end of the next calendar year. In November, a panel of interested parties who were involved in the preparation of the original plan presented their views to the DPC. A notice has been mailed to the DPC's entire mailing list stating that the Plan update process is underway.

Effectiveness of the Plan:

To date, the DPC's Plan, carried out largely by the five Delta counties has ensured that land uses in the Delta continue to protect and enhance agriculture, wildlife habitat, and recreation. Individual land use proposals are consistent with the overall vision for the Delta Primary Zone and consistent with local government general plans and zoning for the Primary Zone. The attached list of 2004 approved projects in the Primary Zone include: creation of several single family lots, approval of second units for family members, approval of a winery, infrastructure for the new regional park at Big Break in Oakley, and revisions to the new sewage treatment plant in Rio Vista.

Preserving Agricultural Land in the Primary Zone:

As mitigation for development in San Joaquin County under its approved Habitat Conservation Plan, the San Joaquin Council of Governments' implementing body acquired a conservation easement over a 404-acre parcel in the east Delta. This easement will ensure that the parcel remains in wildlife friendly agriculture.

Conversion of Agricultural Land in the Primary Zone to Habitat:

There were no projects to convert agricultural land in the Primary Zone to habitat during 2004.

Conversion of Agricultural Lands in the Primary Zone to Other Uses:

There were minimal impacts to agricultural lands in the Primary. Several projects were for extracting and transfer of natural gas. The regional wastewater conveyance pipeline will temporarily disrupt agriculture, but the surface will be restored upon completion of construction.

Restoring Delta Habitat: In 2004, Department of Fish and Game added to its Yolo Bypass holdings by acquiring a 119-acre parcel. The Department had previously held an easement on the parcel and now owns the parcel in fee title. This site will be managed for wildlife habitat as part of the Department's Yolo Bypass Wildlife Area. The Department is currently developing its overall management strategy for this area which will identify habitat restoration areas.

Protecting Recreation Opportunities:

The DPC has received a one-time \$225,000 grant from Department of Boating and Waterways; the source of the funds is the Coast Guard. The funds are being used to start work on Phase I of a two-phase study of Delta recreation. The study builds on earlier work inventorying Delta recreation facilities, a user survey of boaters and anglers, and a study of boating facility needs. A consultant has been selected, a contract prepared, and work is now underway. Due to the limitations of the Coast Guard grant, the grant funds must be expended by June 30, 2005. Phase I will address water-based recreation activities. Additional funds are being sought for Phase II of the study, addressing terrestrial recreation. One of the goals of the project is to assist local governments and others to implement the study recommendations in the immediate future.

Improving Levee Protection:

Under the CALFED program, the levee program is administered by U.S. Army Corps of Engineers (Corps), the Department of Water Resources (DWR), and the Department of Fish and Game (DFG). Recently passed federal legislation HR 2828 identifies the Corps' role in the CALFED Delta levee program and authorizes expenditure of \$90 million dollars over five years to implement the program. Funding to implement HR 2828 is expected in the federal budget of 2005 or 2006.

The existing State funded program is administered by DWR and DFG. Half of the funds are spent on the levee subventions program where local Reclamation District dollars are matched with State funds. The goal of the subvention program is to maintain and enhance the Delta levees to protect existing land uses. The program is voluntary and is based on need, both fiscal and physical. The other half of the funds are spent under the Special Projects program that includes protecting the eight western islands, providing flood protection for the communities of Walnut Grove and Thornton, provision of "net habitat enhancement", emergency preparedness and emergency repairs, special studies, and other necessary activities. Currently, State funds are bond funds; those funds are slated to be exhausted in two years.

The CALFED adopted 10-year finance plan outlines the fiscal needs for the levee program in the future, and identifies the projected shortfalls. CALFED and the implementing agencies are proposing a four-year "comprehensive program evaluation". The evaluation will determine if new information could modify CALFED's 2000 policy to bring all Delta levees to a higher standard known as PL-84-99 standard. (The PL-84-99 standard is slightly higher, uses shallow slopes on both the water and land sides, and is designed to provide additional stability. The current deltawide standard, the Habitat

Mitigation Plan or HMP standard, is a common standard adopted regionwide after the 1986 floods, and is designed to protect open space and agricultural land uses.)

New information about sea level rise and the June 2004 Jones Tract levee breach and resulting \$100 million dollar repair has raised concern and interest in the Delta levee program. The CALFED Science Panel's Levee Subcommittee is studying the stability of the Delta levees. In addition, the DPC will join with Delta water agencies, CALFED, and other interested parties to convene a 2-day conference on Delta levees in June 2005.

Improving Water Quality:

Water quality in the Delta is impacted largely by a number of factors including the amount of water flowing into the Delta, the quality of water flowing into the Delta, and local treatment and discharge of treated wastewater. The DPC monitored a number of statewide and regional efforts by the Central Valley Regional Water Quality Control Board to develop new standards for key pollutants that impact Delta water quality. In 2004, standards were adopted for diazanon, chlorpyrifos, salt and boron. In addition, plans are moving forward for expansion of the Sacramento County Regional Wastewater Treatment Plant in Elk Grove. The Plant's service area has expanded to include West Sacramento, and a new regional pipeline serving growth in Natomas and West Sacramento will traverse West Sacramento and Yolo County on its way to the Elk Grove Plant. When the Plant is expanded the additional treated wastewater will be discharged into the Sacramento River. The Plant's growth is representative of a new wave of regionalization of wastewater treatment. The Regional Board acknowledges that regional plants support enhanced training and professionalism of the staff that should minimize the number of spills and accidents at treatment plants.

Enhanced Flood Protection:

Flood protection in the Delta region is provided through programs and facilities that slow the flow of floodwaters in the Delta, divert floodwaters into Bypasses, and protect and enhance the Delta levees.

Sacramento Area Flood Control Agency (SAFCA) has started a study of the Yolo Bypass to determine if its capacity to hold and direct floodwaters away from the urbanized areas of Sacramento and West Sacramento can be improved. SAFCA has started an 18-month process to identify and discuss opportunities and challenges associated with enhanced flood protection in the Yolo Bypass. The DPC's staff has been actively involved in the planning and oversight committee convened by SAFCA.

CALFED's North Delta Improvements Project would provide enhanced flood control in the northeastern Delta near the Cosumnes River and the North and South Forks of the Mokelumne River. The project's environmental document is slated for release in 2005. The DPC and its staff have been and continued to be active in the planning advisory committee convened by DWR.

Flood protection is provided by the levees on Delta islands, which are largely maintained by the Reclamation Districts. The DPC staff is active in the monthly meeting of federal

and state agencies and the Reclamation Districts charged with coordination of the State's subvention program. In addition, the DPC discussed the June 2004 Jones Tract levee breach and forwarded a letter containing several recommendations to DWR's Director Lester Snow. The DPC's recommendations included implementation measures to speed up response to unanticipated levee breaches in the future and support programs to protect public health, safety, and welfare of Delta residents and other Californians.

Outreach to the Public:

In order to reach the broader public, all the DPC's mailing materials and reports are posted on the DPC's web page (www.delta.ca.gov). In addition, every month staff updates the memo describing pending projects in the Delta region. This memo includes projects in the Primary Zone and in nearby areas that could impact the resources of the Primary Zone. The projects include local, state, and federal projects. Finally, with every mailing, staff prepares and mails a brief newsletter which describes DPC programs, projects of interest in the Delta, and other programs and events in the region of general interest. The newsletter is also posted on the DPC's home page.

CALFED/California Bay-Delta Authority:

Ron Ott, Delta coordinator, briefed the DPC at each meeting. In addition, Mr. Ott attended many of the DPC's Committee meetings and was open and available to discuss issues associated with the overall CALFED program and its impacts on the Delta and Delta land uses.

DPC staff participated in many Agency Coordination Team Meetings, Bay-Delta Public Advisory Committee (BDPAC), and project advisory and coordination group meetings and the biannual Science conference; reviewed mailing packets for the BDPAC and the Bay-Delta Authority meetings; and prepared and submitted comments on many CALFED staff reports and programs including the Delta Improvements Program and the Ten-Year Finance Plan.

Appeal of Local Government Actions:

No local government actions were appealed to the DPC in 2004.

Legal Issues:

In January, DPC counsel notified the DPC that the California Farm Bureau Federation's CALFED CEQA lawsuit has been amended to add the DPC's Executive Director as a defendant; the Farm Bureau is seeking an injunction to implementation of the Record of Decision.

Legislation:

Several bills were drafted that would have impacted the Delta and the DPC. While two bills were passed by the Legislature, both were vetoed by the Governor. AB 2476 (Wolk) would have clarified the language of the Delta Protection Act and SB 86 (Machado) would have created a Delta Conservancy Program administered by the California Coastal Conservancy and funded from future bond acts.

Commission Officers:

Patrick N. McCarty and Robert K. Ferguson serve as Chair and Vice-Chair respectively.

Membership:

Reclamation District representatives are elected every four years. This year, Patrick McCarty decided not to run and will leave the DPC after serving for 12 years. Two city representatives will leave the DPC: Marci Coglianese, Rio Vista, did not run for re-election and Augie Beltran, Lathrop, has stepped down from his seat on the DPC. County Supervisor Ruth Forney, Solano County, leaves at the end of 2004.

Compensation:

The Commissioners receive no compensation for their work on the DPC.

Committees:

Committee meetings are fully noticed and are open to all Commissioners and members of the public. Committees meet as needed.

- Budget Finance and Administration: McCarty, Calone, Ferguson, Sanders, Shaffer
- CALFED Committee: Coglianese, Curtis, Shaffer, van Loben Sels, Wilson
- Agriculture Committee: Ferguson, Shaffer, van Loben Sels, Wilson
- Delta Land Use Impacts Committee: Coglianese, Kelly and van Loben Sels.

Administration:

The Commission's office is located in Walnut Grove, in Sacramento County, on the bank of the Sacramento River. Margit Aramburu is the Executive Director, Lori Clamurro is Environmental Scientist, and Sheila Singleton is Staff Services Analyst.

Dan Siegel, Supervising Deputy Attorney General, with assistance from Christine Sproul, provided legal support for the DPC.

Administrative, budget, and personnel services of the DPC were provided by State Lands Commission through a contractual arrangement.

The annual report covers portions of FY 03-04 and FY 04-05. In each fiscal year, the DPC received funds from the Environmental License Plate Fund and from the Harbors and Watercraft Revolving Fund. The total funds for FY 03-04 and FY 04-05 were \$301,000. The DPC's total expenses, including fund administrative fees charged by the Controller's Office, were approximately \$25,000 per month.

2004 Delta Protection Commission Roster

Contra Costa County Board of Supervisors:	Supervisor Federal Glover
Sacramento County Board of Supervisors:	Supervisor Don Nottoli
San Joaquin County Board of Supervisors:	Supervisor Leroy Ornellas
Solano County Board of Supervisors:	Supervisor Ruth Forney
Yolo County Board of Supervisors:	Supervisor Mike McGowan
Sacramento and Yolo County Cities:	Mayor Christopher Cabaldon City of West Sacramento
San Joaquin County Cities:	Councilmember Augie Beltran City of Lathrop
Contra Costa and Solano County Cities:	Mayor Marci Coglianese City of Rio Vista
North Delta Reclamation Districts:	Daniel Wilson Carel "Topper" van Loben Sels
West Delta Reclamation Districts:	Robert Calone
Central Delta Reclamation Districts:	Patrick N. McCarty, Chair
South Delta Reclamation Districts:	Robert K. Ferguson, Vice Chair
Department of Parks and Recreation:	Kirk Sturm, Chief, Northern Division
Department of Food and Agriculture:	Steve Shaffer, Director Agricultural and Environmental Policy
State Lands Commission:	Dwight Sanders, Chief, Division of Environmental Planning and Management
Department of Boating and Waterways:	David Johnson, Deputy Director
Department of Water Resources:	Katherine Kelly, Chief, Bay-Delta Office
Department of Fish and Game:	Banky Curtis, Regional Manager

Projects Monitored by Delta Protection Commission and Approved in 2004
 [Descriptions in **Bold Type** and marked with asterisk (*) were approved by local government and
 appealable to the DPC]

Project Description	Applicant	Project Location
MULTI-COUNTY		
M-01-07: Implementation of the CALFED Water Account	Department of Water Resources, Bureau of Reclamation	Statewide Deltawide
M-02-01: Develop controls over discharge of diazanon to the Sacramento and Feather Rivers	Central Valley Regional Water Quality Control Board	Deltawide, lands adjacent to the Sacramento River
M-02-03: Construct new 20 inch in diameter gas pipeline from Concord to West Sacramento	Kinder Morgan Energy Partners	Solano and Yolo, Primary Zone
M-02-04: Add Salt and Boron TMDLs to Basin Plan	Central Valley Regional Water Quality Control Board	Out of Legal Delta; San Joaquin River to Vernalis
M-02-06: Master Plan to Expand Wastewater Treatment Plant; discharge into the Sacramento River (Primary Zone)	Sacramento Regional County Sanitation District	Service Area: Sacramento and Yolo Counties Project Location: Sacramento County
M-02-11: Construct 20-foot-in-diameter regional sewer pipe/Lower Northwest Interceptor*	Sacramento Regional County Sanitation District	Sacramento and Yolo Counties, Primary Zone
M-03-03: Reissue General Permit 23 to allow construction of single berth boat docks	U.S. Army Corps of Engineers	Deltawide
M-03-08: Amendments to Consolidate Toxic Hot Spots Cleanup Plan (add diazanon, chlorpyrifos in stormwater runoff into Delta sloughs)	State Water Resources Control Board	Delta waterways Deltawide
M-03-09: Annex West Sacramento into the Sacramento Regional County Sanitation District	Sacramento Local Agency Formation Commission	Sacramento and Yolo Counties, Secondary Zone

M-03-11: Statewide General Waste Discharge Requirements for dredging projects of less than 50 cubic yards	State Water Resources Control Board	Statewide Deltawide
M-04-01: Revise Waste Discharge Order to allow dredged material from Stockton Deepwater Ship Channel to be placed on two existing disposal sites on Sherman Island	U.S. Army Corps of Engineers, Department of Water Resources, Port of Stockton	Contra Costa, Sacramento and San Joaquin Counties, Primary Zone
M-04-02: Adopt Statewide requirements for biosolids land application in agriculture, silviculture, horticulture, and land reclamation; application not allowed in Primary Zone of Delta	State Water Resources Control Board	Statewide
CONTRA COSTA COUNTY		
C-03-05: Parks and Recreation Master Plan*	City of Oakley	Primary and Secondary Zones
C-03-15: Ravenswood Project: General Plan Amendment, Rezoning, and Development Plan: Subdivide 60 acres into 222 single family lots, 3 acre park and 5.2 acre open space	Western Pacific Housing	Secondary Zone
C-03-17: Bethel Island Bridge replacement, includes 2-5 foot wide sidewalks and pedestrian staircase	Contra Costa County Community Development	Secondary Zone
C-03-18: Veale Tract and Rock Slough Projects: relocation of outfall pump station and develop best management practices for agriculture on Veale Tract (CALFED ROD project)	Contra Costa Water District	Secondary Zone

C-3-19: Byron Tract Project: extend discharge pipe 100 feet and develop best management practices for Byron ag uses and for Discovery Bay (CALFED ROD project)	Contra Costa Water District	Secondary Zone
C-03-20: Land Use Permit to legalize existing caretaker mobile home on 10.4 acre lot, Knightsen Area*	R. Mussman	Primary Zone
C-04-01: Amend General Plan to allow Wineries in Ag Core and Ag Zones*	Contra Costa County	Countywide
C-04-02: Natural Gas Well, Jersey Island	ABA Energy Corp, Ironhouse Sanitary District	Primary Zone
C-04-03: Natural Gas Well, Jersey Island	ABA Energy Corp, Ironhouse Sanitary District	Primary Zone
C-04-04: Big Break Regional Shoreline land use permit for access road, parking lot, utilities, and fishing pier*	East Bay Regional Park District	Primary and Secondary Zones
C-04-08: Westerly Annexation of 87.9 acres; rezone 42.2 to residential; remainder to remain zoned for ag uses	City of Oakley	Secondary Zone
C-04-09: Black Liquor Pond Remedial Action remove 30,000 cubic yards of soils containing dioxins and furans and dispose offsite	Gaylord Container Corporation	Secondary Zone
C-04-11: Construct dock, building and levee work for sod facility, Holland Tract	Michael Clement Corporation	Primary Zone
C-04-12: Use permit for second unit on 10-acre parcel, Knightsen*	J. Edwards	Primary Zone

SACRAMENTO COUNTY		
SAC-02-3: General Plan amendment and rezone to Annex Freeport and designate "Historic Preservation Area"	City of Sacramento	Secondary Zone
SAC-02-11: Sea Nymph Vineyards winery, wine tasting and private social events, Sherman Island*	C.R. Williams	Primary Zone
SAC-03-07: Brannan Island Compressor Station to consolidate 30 compressors into two buildings*	Calpine	Primary Zone
SAC--3-9: Subdivide 144 acres into 3 parcels including 1.9 acres and 1.1 acres in AG-40 zone*	C. Sylva	Primary and Secondary Zones
SAC-03-11: Subdivide land under the Community of Locke into 54 lots*	Sacramento Housing and Redevelopment Agency	Primary Zone
SAC-03-13: Amend General Plan re: ag employee dwellings*	Sacramento County Planning Department	Primary and Secondary Zones
SAC-03-14: Subdivide 2.9 acres into 3 lots in Special Planning Area*	D. Wilson	Primary Zone
SAC-03-19: Granny Cottage on 1.015 acre lot in AG-20 zone adjacent to existing residence*	T. Herzog	Primary Zone
SAC-03-20: Expand existing dredge disposal site by 132 acres to accommodate maintenance dredging of Stockton Deepwater Ship Channel, Sherman Island	U.S. Army Corps of Engineers, Department of Water Resources	Primary Zone

SAC-04-02: Garter Snake Mitigation Bank through restoration of seasonal marsh, open water and grassland habitats, Stone Lakes National Wildlife Refuge (grading permit only)	Wildlands, Inc.	Primary Zone
SAC-04-04: Single family residence on 1 acre site zone AR-2 (second unit on parcel), Ryde*	S. Harris	Primary Zone
SAC-04-05: Single family residence on .276 acre parcel in RD-3(F) zone, Long Island*	Rehrmann	Primary Zone
SAC-04-06: Repair 1,600 linear feet of riverbank by adding new berm and placing trees underwater to serve as aquatic habitat (Sacramento Riverbank Protection Project)	U.S. Army Corps of Engineers, Reclamation Board	Out of Legal Delta South of Miller Park, City of Sacramento
SAN JOAQUIN COUNTY		
SJ-02-03: West Complex Redevelopment Plan for Port including new road and bridge from Highway 4 to Rough and Ready Island*	Port of Stockton	Primary Zone (bridge and road) and Secondary Zone
SJ-03-08: Central Lathrop Specific Plan: annex and adopt specific plan for 6,454 dwelling units, commercial/office, parks, schools	Richland Communities	Secondary Zone
SJ-03-09: 2004 Transportation Plan (includes Highways 12 and 4)	San Joaquin Council of Governments	Countywide; Primary Zone

SJ-03-10: Stockton Event Center (indoor arena, baseball stadium, hotel, apartments & waterfront path)	Stockton Housing and Redevelopment	Secondary Zone
SJ-03-13: Private Dock and Deck, White Slough and Honker Cut Slough*	K. Coverdell	Primary Zone
SJ-03-14: Widen northbound lanes of I-5 Mossdale Bridge over San Joaquin River	CalTrans	Secondary Zone
SJ-03-16: Upgrade Regional Wastewater Control Facility; convert one pond to treatment wetland area and add bird watching and public education kiosk	City of Stockton	Primary Zone and Secondary Zone
SJ-03-17: Pedestrian Bridge over San Joaquin River at Mossdale Marina	City of Lathrop	Secondary Zone
SJ-03-20: Mossdale Landing East; 483 dwelling units, 500,000 sq ft of commercial, 9.4 acres parks and open space; storm drainage into San Joaquin River	City of Lathrop	Secondary Zone
SJ-04-A: Divide 3 parcels (1,107 acres) into 4 parcels and 562 acres remainder in AG-80 zone on McDonald Island	Heritage Land Company	Primary Zone
SJ-04-B: Subdivide two parcels into 4 parcels (153.5 ac, 179.7 ac, 231.1 ac & 261.5 ac) with 1,397 ac remainder parcel in AG-80 zone on McDonald Island.	Zuckerman/Mandeville, Inc.	Primary Zone
SJ-04-01: Relocate Houseboat Business; Stockton Channel	Faso Houseboat Sales, Repair and Restoration	Secondary Zone

SJ-04-03: Westlake Village; General Plan amendment, annexation, master plan for 3,000 dwelling units, school, fire station, lakes, trails, parks, Bishop Tract	Spanos Family Partnerships	Secondary Zone
SJ-04-04: New Hope Tract Levee Rehabilitation, Phase II between I-5 and New Hope Landing; borrow site north of Beaver Slough, mitigation on McCormack Williamson Tract and Grizzly Slough	RD 348, Department of Water Resources	Primary Zone
SJ-04-05: City of Stockton Sphere of Influence Amendment for Bishop Tract, Shima Tract, West Lane	Grupe, Spanos, et al	Secondary Zone
SJ-04-06: Mossdale Landing South; 220 single family lots, 22.4 acres streets, 37.3 acres service commercial, 23.9 acres parks and open space	City of Lathrop	Secondary Zone
SJ-04-07: Staten Island Wildlife Friendly Farming Demonstration: drainage channel, 6 interior cross levees, discharge pumping station, monitoring	Ducks Unlimited, The Nature Conservancy	Primary Zone
SJ-04-08: Renewal of Municipal Storm Sewer System Permit	Port of Stockton	Secondary Zone
SJ-04-09: West Complex Dock Dredging, docks 14-20 dredge to 36 feet MLLW, dispose on Roberts Island	Port of Stockton	Secondary Zone
SOLANO COUNTY		
SO-03-03: New design for Sewage Treatment Plant on approved site*	City of Rio Vista	Primary Zone

SO-03-04: Remove sunken Dredge Barge MONARCH from Shag Slough to remove environmental hazard	U.S. Coast Guard	Primary Zone
SO-04-03: Relocate irrigation intakes from Cache Slough to Lindsey Slough and add fish screen [funded by CALFED] on Hastings Tract	RD 2060, Hastings Tract	Primary Zone
SO-04-04: Use of Copper and Acrolein Pesticide to Control Aquatic Weeds canals, laterals, and drains that drain into west Delta waterways	Maine Prairie Water District	Primary Zone, Secondary Zone
YOLO COUNTY		
Y-04-01: Acquisition of 119 acres for Yolo Bypass Wildlife Area [lands already subject to easement]	Department of Fish and Game	Primary Zone

Lands Acquired in Fee Title by Government Agencies or Nonprofits in 2004:

Location	Acquiring Agency	Acres
Yolo Bypass	Department of Fish and Game	119 acres

Easements Acquired by Government Agencies or Nonprofits in 2004:

Location	Acquiring Entity	Acres
Nuss Property	San Joaquin Council of Governments, Habitat Conservation Plan	404 acres

March 18, 2005

Governor Arnold Schwarzenegger
Members of the State Legislature
State Capitol
Sacramento, California 95814

Subject: 2004 Annual Report for the Delta Protection Commission

In 2004, the Delta Protection Commission (DPC) divided its time between reviewing and commenting on proposed projects that could impact Delta resources; considering various options for the future of the DPC--its membership, jurisdiction and authority; and reviewing and commenting on local planning projects and programs for consistency with the DPC's Act and Plan. The June levee break on Jones Tract reemphasized the role and value of the Delta levees to protect water quality and Delta land uses and habitat values.

Projects approved in the Delta Primary Zone include infrastructure facilities (pipelines and gas wells), residential lot creation consistent with existing zoning, and agriculture-support facilities (winery and dock). All of these projects are, or were conditioned to ensure the projects would support the three key land uses in the Delta: agriculture, wildlife habitat, and recreation. The DPC discussed a pending proposal to convert a retired sugar mill to mixed uses in the Community of Clarksburg. The DPC also continued its role in the CALFED/California Bay Delta process, such as commenting on the In-Delta Storage Project State Feasibility Study.

The California Performance Review (CPR) Commission recommended that the DPC be eliminated, and its responsibilities and authorities be transferred to the director of a new natural resources agency. After several public hearings and discussions about the DPC's role in the Delta region, the DPC recognized that there is a continuing role for the DPC in the region, and recommended that the DPC be continued with its current jurisdiction and authority. The DPC acknowledged that new members could be added to reflect new land ownership patterns in the region.

The DPC is required to review local government General Plans for consistency with the Delta Protection Act and its adopted Plan. The new City of Oakley's General Plan was found consistent with the Act and Plan. The DPC also took steps to start an update of the DPC's adopted Land Use Plan and background reports.

Governor Arnold Schwarzenegger

California State Legislature

March 18, 2005

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The DPC looks forward to continuing its responsibilities under the Delta Protection Act of 1992, as defined by the Legislature and Governor. Please contact Margit Aramburu, Executive Director, for further information about the DPC.

Sincerely,

Michael McGowan
Chairman

